

## HOUSE BILL NO. 506

INTRODUCED BY R. BROWN

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING LEAVING HIGHWAY CONSTRUCTION VEHICLES AND EQUIPMENT OR PRIVATE VEHICLES IN A CONSTRUCTION CLEAR ZONE; DEFINING "CONSTRUCTION CLEAR ZONE"; AND PROVIDING A PENALTY."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Encroachment into construction clear zone prohibited -- definition. (1)**

For the purposes of this section, "construction clear zone" means, during construction or reconstruction, an area from the outside limit of the vehicular traffic lanes to the nearer of either the bottom of the roadway's slope or the outside border of the highway right-of-way. A construction clear zone includes the road's shoulder and median, but does not include sidewalks, bridges, guardrails, or areas beyond an installed guardrail.

(2) (a) A contractor or a subcontractor who is engaged in the construction or reconstruction of a state highway, as defined in 60-1-103, may not, during the construction or reconstruction:

(i) store, place, or locate equipment or vehicles within a construction clear zone unless the equipment or vehicles are in actual use during the work period or in use for traffic control or safety; or

(ii) park, store, or locate equipment or vehicles within a construction clear zone on holidays, weekends, or overnight.

(b) A construction worker may not park the construction worker's private vehicle within a construction clear zone at any time.

(c) All traffic safety and control devices must be removed at the conclusion of the project or at a point in the project when they are no longer necessary.

(3) Each violation of the provisions of subsection (2) is punishable by a fine of not more than \$5,000.

(4) A contracting company whose gross negligence in violation of subsection (2) results in loss of life may not participate in future highway construction projects in the state of Montana for ~~5 years~~ 1

YEAR.

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2        NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an  
3 integral part of Title 60, chapter 6, part 1, and the provisions of Title 60, chapter 6, part 1, apply to  
4 [section 1].

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